

Judge James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ROSANNE GLASSBERG,

Plaintiff,

V.

HOLLAND AMERICA LINE N.V. LLC,
et al.,

Defendants.

CASE NO. C24-00915JLR

**STIPULATED MOTION TO
CONSOLIDATE PLAINTIFF'S
RELATED CASES**

**NOTE ON MOTION CALENDAR:
November 14, 2024**

MARCI A ULRICH,

Plaintiff,

V.

HOLLAND AMERICA LINE INC,
et al.,

Defendants.

CASE NO. C24-00961 JLR

I. INTRODUCTION

Plaintiff Rosanne Glassberg, Defendants Holland America Line N.V. LLC, Holland America Line, Inc., and HAL Antillen N.V. (collectively “Holland”), and Defendant Scootaround, Inc. (“Scootaround”) respectfully move this Court for an order consolidating *Marcia Ulrich v. Holland America Line, Inc., et al.* (“Ulrich”), case number 2:24-cv-00961-BJR with the above-captioned matter as these cases share a common question of law or fact.

II. STATEMENT OF FACTS

This is a personal injury case arising out of an incident that occurred on June 25, 2023, involving one of Scootaround's mobility scooters on one of Holland's cruise ships. Glassberg filed a Complaint on June 25, 2024. On June 28, 2024, Plaintiff Marcia Ulrich filed a Complaint for a personal injury claim that occurred on June 30, 2023, involving one of Scootaround's mobility

1 scooters on the same Holland cruise ship as Glassberg. Ulrich is Glassberg's sister and the
 2 circumstances of the accident are similar.

3 On October 14, 2024 Scootaround filed Motions to Dismiss for Forum Non Conveniens
 4 ("Motion to Dismiss") in both *Glassberg* and *Ulrich*. Pursuant to LCR 42, the parties engaged in
 5 the requisite meet-and-confer discussions whereupon Plaintiff and Holland agreed to consolidate
 6 these matters. Further, Holland agreed that it would not pursue a crossclaim against Scootaround
 7 if Scootaround withdrew its pending Motion to Dismiss. Scootaround agreed to those terms and
 8 filed a Notice to Withdraw Pending Motion to Dismiss pursuant to LCR 7(l). On November 8,
 9 2024, the Honorable Barbara J. Rothstein in the *Ulrich* matter issued a case schedule order setting
 10 the following deadlines:

FRCP 26(f) Conference Deadline	12/19/2024
Initial Disclosure Deadline	12/26/2024
Joint Status Report Deadline	1/2/2025

13 III. LEGAL AUTHORITY AND ARGUMENT

14 FRCP 42(a) provides that if actions involve "a common question of law or fact" the court
 15 may consolidate the actions. LCR 42 further provides that a motion to consolidate should be filed
 16 in the earlier case and the stipulation should address scheduling issues. The district court has broad
 17 discretion under this rule to consolidate cases pending in the same district." *Inv'rs Research Co.*
 18 *v. U.S. Dist. Ct. for Cent. Dist. of Cal.*, 877 F.2d 777, 777 (9th Cir. 1989).

19 The parties seek to consolidate *Glassberg* and *Ulrich*, for the sake of efficiency and cost.
 20 These cases occurred on the same cruise ship, during the same cruise, with the same type of
 21 mobility scooter, and with similar allegations as to how the accidents occurred. The cases will
 22 involve most of the same witnesses, the same discovery, and a common question of law and fact
 23 as the causes of action alleged by Glassberg and Ulrich are almost identical. Consolidating the
 24 cases will allow the Court to hear all motions, including dispositive motions, in conjunction to
 25 expedite resolution and ensure consistency in the findings and conclusions of the Court. The parties
 26 further agree on a preference to the case schedule issued on November 8, 2024 to govern the
 27 consolidated action.

28 / / /

**STIPULATED MOTION TO CONSOLIDATE
 PLAINTIFF'S RELATED CASES - 2**
 Case No 2:24-cv-00915-JLR

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IV. CONCLUSION

Based on the foregoing, consolidating Plaintiff's related matters is appropriate. The parties request that the Court grant this motion and adopt the November 8, 2024 scheduling order.

I certify that this memorandum contains 508 words, in compliance with the Local Civil Rules.

DATED this 14th day of November 2024.

DATED this 12th day of November 2024.

By: /s/Ofelia A. Gomez

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DATED this 12th day of November 2024.

By: s/ Edgar Nield

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and HAL ANTILLEN N.V.

IT IS SO ORDERED that the Stipulated Motion to Consolidate is GRANTED.

IT IS FURTHER ORDERED that the November 8, 2024 case schedule order will stand.

FRCP 26(f) Conference Deadline	12/19/2024
Initial Disclosure Deadline	12/26/2024
Joint Status Report Deadline	1/2/2025

DATED this 18th day of November 2024.


Honorable James L. Robert

**STIPULATED MOTION TO CONSOLIDATE
PLAINTIFF'S RELATED CASES - 3**
Case No 2:24-cv-00915-JLR

CERTIFICATE OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

6 On the date given below I caused to be served the foregoing **STIPULATED MOTION**
7 **TO CONSOLIDATE PLAINTIFF'S RELATED CASES** on the following parties by electronic
8 transmission through the CM/ECF system. Upon completion of said transmission of said
9 documents, a receipt is issued to filing party acknowledging receipt by the CM/ECF system. Once
10 CM/ECF has served all designated recipients, proof of electronic service is available to the filing
11 party. I am readily familiar with the business' practice for filing electronically, and the document
12 will be electronically filed that same day in the ordinary course of business following ordinary
13 business practices.

<p>Attorneys for Plaintiffs ROSANNE GLASSBERG MARCI ULRICH Amie Christine Peters, WSBA #37393 Amanda E. Peters, WSBA #49161 BLUE WATER LEGAL PLLC PO Box 83 144 Railroad Avenue, Suite 308 Edmonds, WA 98020 amie@bluewaterlegal.com amanda@bluewaterlegal.com</p>	<p>Attorneys for Defendants HOLLAND AMERICA LINE N.V. LLC, HOLLAND AMERICA LINE, INC. HAL ANTILLEN N.V. Edgar R. Nield, WSBA # 53297 MALTZMAN & PARTNERS, P.A. 506 Second Avenue, Suite 1400 Seattle, WA 98104 ed@maltzmanpartners.com</p>
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SIGNED this 14th day of November 2024.

/s/ Teri A. Moore

Teri A. Moore, Legal Assistant